

HOUSE BILL No. 5563

March 6, 1990, Introduced by Reps. Knight, Emerson, Ostling,
Perry Bullard and Scott and referred to the Committee on Appropriations.

A bill to amend section 12562 of Act No. 368 of the Public
Acts of 1978, entitled as amended
"Public health code,"
being section 333.12562 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 12562 of Act No. 368 of the Public Acts
2 of 1978, being section 333.12562 of the Michigan Compiled Laws,
3 is amended to read as follows:

4 Sec. 12562. (1) The application of necessary chemicals in
5 powder, crystal, or solution form to the waters of ~~this~~ THE
6 state for the control of aquatic nuisances, such as swimmers'
7 itch and aquatic plants, is lawful and not in contravention of
8 the private or public rights to the use and enjoyment of abutting
9 property by the owners or occupants of that property when the

1 application is made in accordance with sections 12561 to 12563
2 and rules promulgated under section 12561.

3 (2) The necessary control work may be conducted by the state
4 or a political subdivision or by an organized lake or improvement
5 association on behalf of its members, or by the owner of property
6 abutting on the waters of the state, or by an aquatic pest con-
7 trol applicator licensed under THE PESTICIDE CONTROL ACT, Act
8 No. 171 of the Public Acts of 1976, being sections 286.551 to
9 286.581 of the Michigan Compiled Laws, after obtaining a permit
10 from the department of natural resources. ~~The permit shall be~~
11 ~~issued at no charge to the applicant, and, unless~~ UNLESS
12 revoked, PERMITS shall expire on December 31 of the calendar year
13 in which issued. AN APPLICATION FOR A PERMIT SHALL BE ACCOM-
14 PANIED BY THE FOLLOWING FEES:

15 (A) FOR OWNERS OF A SINGLE PROPERTY TREATING WATERS ABUTTING
16 THEIR PROPERTY WHERE THE TREATMENT AREA IS LESS THAN 1/2 ACRE, OR
17 FOR WATER BODIES IN SINGLE OWNERSHIP, A FEE IS NOT REQUIRED.

18 (B) FOR TREATMENT OF AREAS OF 1/2 ACRE OR MORE AND LESS THAN
19 2 ACRES, \$50.00.

20 (C) FOR TREATMENT OF AREAS OF 2 ACRES OR MORE, \$150.00.

21 (3) APPLICATION FEES COLLECTED UNDER SUBSECTION (2) SHALL BE
22 DEPOSITED IN THE STATE TREASURY TO THE CREDIT OF THE GENERAL FUND
23 AND SHALL BE AVAILABLE FOR APPROPRIATION TO THE DEPARTMENT OF
24 NATURAL RESOURCES TO BE USED TO DEFRAY THE COST OF PROCESSING
25 PERMIT APPLICATIONS, AND FOR FIELD INVESTIGATIONS TO DETERMINE
26 COMPLIANCE WITH PERMITS ISSUED UNDER THIS ACT.

1 (4) ~~(3)~~ The necessary work shall be conducted at those
2 times, under those conditions, and with those safeguards, as the
3 department of natural resources requires. The department of nat-
4 ural resources may provide permits for the suppression of
5 swimmers' itch and aquatic plants, if applicants provide at their
6 own expense chemicals and other equipment and services called for
7 in the rules promulgated by the department of natural resources.